



# COUNTY OF SONOMA

575 ADMINISTRATION  
DRIVE, ROOM 102A  
SANTA ROSA, CA 95403

## SUMMARY REPORT

---

**Agenda Date:** 7/11/2023

---

**To:** Board of Directors, Sonoma County Water Agency  
**Department or Agency Name(s):** Sonoma County Water Agency  
**Staff Name and Phone Number:** Greg Guensch 547-1972  
**Vote Requirement:** 4/5th  
**Supervisory District(s):** Fourth

**Title:**

Engineering and Design Agreement for Phase VI of Dry Creek Habitat Enhancement Project

**Recommended Action:**

- A) Authorize Sonoma County Water Agency's General Manager to execute the Fourth Amended and Restated Agreement for Engineering and Design Services for Dry Creek Habitat Enhancement Project, Phase VI, with Stantec Consulting Services, Inc., in a form approved by County Counsel. The amended agreement increases the amount by \$698,313, expands the scope of work to include design services for additional reaches along the Phase VI work area, and extends the agreement term by three years for a new not-to-exceed agreement total do \$2,191,711 and end date of December 31, 2027.
- B) Adopt a Resolution authorizing adjustments to the Board Adopted Budget for Fiscal Year 2023/2024 for the Watershed Planning and Restoration Fund in the amount of \$307,243.

(4/5<sup>th</sup> Vote Required) (Fourth District)

**Executive Summary:**

This item requests authority for an amended agreement with Stantec Consulting Services, Inc., formerly Cardno, Inc. (Consultant), to increase the agreement amount, extend the agreement term and allow Consultant to continue design work for Phase VI, of the Dry Creek Habitat Enhancement Project (Project). This work is part of the ongoing habitat restoration required by federal environmental agencies and is being performed in coordination with the United States Army Corps of Engineers (Corps). Phase VI final design was submitted to Corps in August 2020 for the Corps review. The final design, including the design for an additional reach under this amended agreement, will be reviewed again by the Corps prior to commencement of construction.

**Discussion:**

HISTORY OF ITEM/BACKGROUND

Section 7 Consultation and Biological Opinion

Sonoma County Water Agency (Sonoma Water) and the Corps undertook a Section 7 consultation under the Federal Endangered Species Act with the National Marine Fisheries Service (NMFS). The purpose of the consultation is to assess the ongoing water supply, flood control, and channel maintenance operations conducted in the Russian River Watershed by Sonoma Water, the Corps, and the Mendocino County Russian River Flood Control District. In September 2008, NMFS issued the resulting Biological Opinion (BO) based on the results of the Section 7 Consultation.

The BO requires Sonoma Water and the Corps to implement a series of actions to minimize impacts to listed salmon species and enhance their habitats within the Russian River and its tributaries. In return, the BO contains an “incidental take statement” that allows Sonoma Water to “take” listed salmonid species, (within limits specified in the BO) while operating its water transmission system and flood control activities, without violating the federal Endangered Species Act.

The current BO is in effect until October 2023 and is expected to be replaced by a new BO to be issued by the National Oceanic and Atmospheric Administration (NOAA) and NMFS. Sonoma Water has contracted with Environmental Science Associates to prepare a Biological Assessment (BA) of Sonoma Water's current activities and the potential impacts of those activities to the listed salmon species in the Russian River and its tributaries. The new BA is currently in a draft stage being reviewed by Sonoma Water staff. Once complete, the new BA will be submitted to NOAA and NMFS and will be used as the basis to prepare the new BO. It is expected that the new BO will be in place at the time the existing BO expires.

#### Dry Creek Project

The current BO specifically identified the need to improve rearing habitat for coho salmon and steelhead in Dry Creek and the Russian River at the water-supply flows proposed. To address this need, while allowing continued discharges from Lake Sonoma for water supply purposes, the BO has required habitat enhancement of six miles of Dry Creek to provide improved summer and winter rearing conditions for coho salmon and steelhead. The Project is being developed to meet these habitat enhancement requirements and is an important component of the larger effort to improve conditions for salmonid species in the Dry Creek and Russian River watersheds.

Construction of the first mile of the habitat enhancement projects was completed in 2014. This first mile is referred to as the Demonstration Reach because it was intended to demonstrate the proposed habitat enhancement approach to regulatory agencies and project stakeholders. The Demonstration Reach included three large backwater habitats, two constructed riffles, boulder clusters and fields, numerous log habitat structures, and two large bank repairs.

The design and construction of Phase II was completed in 2019 and is located between Warm Springs Dam (Lake Sonoma) and Lambert Bridge. The design and construction of Phase III, located between Lambert Bridge and the confluence with the Russian River, was completed in October 2021.

Phase IV, located between Warm Springs Dam and Lambert Bridge, is a joint construction effort between Sonoma Water and the Corps, with Sonoma Water’s portion of the work starting construction in the summer of 2023.

Phases IV, V, and VI of the Project are being constructed by the Corps as part of a cost-share agreement between Sonoma Water and the Corps for the Dry Creek Ecosystem Restoration Project General Investigation Feasibility Study, which was executed in May of 2015. Under this agreement, Sonoma Water manages the engineering and design agreements, and contributes a 35 percent funding match, while the Corps participates in design review and pays for and manages construction. The Corps also sets the design and construction timeline. The first part of Phase IV was constructed during the 2022 in-stream construction season and the remainder will be constructed in 2023. The Corps advertised the construction of Phase V in March 2023, and

---

**Agenda Date:** 7/11/2023

---

construction is scheduled for the 2023 and 2024 construction seasons. Phase VI is presently scheduled for construction in 2025 and 2026.

Sonoma Water has contracted with Consultant, for the design of Phase VI. The duration of the agreement for engineering and design must be extended to match the construction timeline set by the Corps.

Sonoma Water contracted with Consultant for the design of Phase VI and entered into an agreement for engineering and design services on February 2, 2016, in the amount of \$1,493,398. Subsequently, the agreement was amended three times to add time for a current term end date of December 31, 2024. The duration of the agreement for engineering and design must now be extended to include design services for additional reaches along the Phase VI work area and to accommodate the latest construction timeline set by the Corps.

#### SELECTION PROCESS

Consultant was selected from a list of qualified consultants developed from a competitive selection process in December 2014. Attached is a memorandum dated June 23, 2015, that explains the previous competitive selection process.

#### SERVICES TO BE PERFORMED

Under the amended agreement, Consultant will continue to provide engineering and design services for Phase VI of the Project in addition to providing design services for additional reaches along the Phase VI work area.

The additional cost is \$698,313, for a new not-to-exceed agreement total of \$2,191,711. The new end date is December 31, 2027.

The amended agreement includes two options for Sonoma Water to extend the term for a period of one year each by providing written notice to Consultant thirty days in advance of the expiration date of the amended agreement and of the first extension option. The extension will be formalized in an amended agreement or amendment signed by Sonoma Water and Consultant.

#### **County of Sonoma Strategic Plan Alignment:**

N/A

#### **Sonoma Water Strategic Plan Alignment:**

Water Supply and Transmission System, Goal 1: Protect drinking water supply and promote water-use efficiency.

Under Sonoma Water's Strategic Plan, goal 1, strategy 1 to "Increase the water supply reliability of Lake Mendocino and Lake Sonoma and continue Russian River Biological Opinion compliance," this agreement seeks to continue our compliance with the Russian River Biological Opinion through the Dry Creek Habitat Enhancement Project.

#### **Racial Equity:**

**Was this item identified as an opportunity to apply the Racial Equity Toolkit?**

No

**Prior Board Actions:**

- 7/7/2020: Approved amended agreement between Sonoma Water and Cardno, Inc. to extend the term of the agreement to continue engineering and design services for Dry Creek Habitat Enhancement Project, Phase VI with no additional cost; new term end December 31, 2024.
- 2/2/2016: Approved agreement between Sonoma Water and Cardno, Inc. for engineering and design services for Dry Creek Habitat Enhancement Project, Phase VI. Cost \$1,493,398); term end November 30, 2019.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 22-23 Adopted</b>	<b>FY23-24 Projected</b>	<b>FY 24-25 Projected</b>
Budgeted Expenses	\$391,070		
Additional Appropriation Requested	\$307,243		
<b>Total Expenditures</b>	<b>\$698.313</b>		
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal	\$391,070		
Fees/Other	\$307.243		
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>\$698,313</b>		

**Narrative Explanation of Fiscal Impacts:**

Budgeted amount of \$391,070 is available from FY 2023/2024 appropriations for the Watershed Planning and Restoration Fund. Additional appropriations of \$307,243 are required to process this expense. With Board approval, unused appropriations budgeted in FY 2022/2023 and rolled over to FY 2023/2024 will be made available in the Watershed Planning and Restoration Fund pursuant to the attached budgetary resolution.

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

Attachment: Competitive Selection Process Memo  
Resolution

**Related Items "On File" with the Clerk of the Board:**

None